

Lin B.

LEWIS AND ROCA LLP

Attorneys for USACM Liquidating Trust

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-THIRD OMNIBUS OBJECTION OF THE
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Twenty-Third Omnibus Objection to Claims Asserting Secured Status [DE 3180] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Twenty-Third Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

23rd Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01069	11/7/2006	\$22,849.49	S
2	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01070	11/7/2006	\$30,000.00	S
3	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01071	11/7/2006	\$25,000.00	S
4	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01072	11/7/2006	\$65,000.00	S
5	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01073	11/7/2006	\$50,000.00	S
6	O`Sullivan, Patrick Edward & Soon Young 7328 Gentle Valley St Las Vegas. NV 89149-1616	10725-01102	11/7/2006	\$20,087.20	S
7	Ogren Ttee For The Benefit Of, Robert L The Robert L Ogren Trust 3768 Rick Stratton Dr Las Vegas. NV 89120	10725-02000	1/10/2007	\$913,741.57	S, U
8	Ogren Ttee Of The Robert L Ogren Trust, Robert L 3768 Rick Stratton Dr Las Vegas. NV 89120	10725-02001	1/10/2007	\$162,245.56	S, U
9	Ogren, William W & Betty R 22102 Shannon Dell Dr Audubon. PA 19403	10725-02161	1/12/2007	\$101,463.19	S, U
10	Ohms, Sandra & Paul Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Ste 401 Pleasanton. CA 94583	10725-00147	8/15/2006	\$30,250.00	S
11	Olga O`Buch Trust Dtd 5/28/98 C/O Olga O Buch Trustee 140 Gazelle Rd Reno. NV 89511-6642	10725-01736	12/11/2006	\$241,667.00	S

12	Olga O`Buch Ttee/Olga O`Buch Trust, Olga 140 Gazelle Rd Reno. NV 89511	10725-02121	1/11/2007	\$253,701.76	S, U
13	Olsen, Donald 8728 Castle View Ave Las Vegas. NV 89129	10725-01187	11/7/2006	\$8,242.00	S
14	Olson, Dean 6760 Chesterfield Ln Reno. NV 89523	10725-01578	12/1/2006	\$100,000.00	S
15	Olympia Capital Management C/O Geraldine Houghton 2871 Pinta Perris. Ca 92571	10725-01254	11/9/2006	\$100,000.00	S P, U - unknown
16	Oosthuizen, Adrian J R 5860 Lausanne Dr Reno, Nv 89511	10725-01718	12/11/2006	\$1,398,344.58	S
17	Oosthuizen, Adrian Jr 5860 Lausanne Dr Reno. NV 89511	10725-01865	1/10/2007	\$1,355,647.65	S, U
18	Osherow Trust Aaron Osherow Trustee 200 S Brentwood Blvd #92 St Louis. MO 63105	10725-01959	1/10/2007	\$544,233.01	S, U
19	Oster, Paul PO Box 2618 Mammoth Lakes. CA 93546	10725-02082	1/11/2007	\$154,082.00	S, U
20	Ovca Associates Inc Defined Pension Plan C/O William J Ovca Jr Trustee 16872 Baruna Ln Huntington Beach. CA 92649-3020	10725-00957	11/1/2006	\$275,000.00	S
21	Owens, Milton 1094 7Th St San Pedro. Ca 90731	10725-00570	10/12/2006	\$26,129.00	S, P
22	Oxx, Lori E 6501 Dume Dr Malibu. CA 90265-4274	10725-01100	11/8/2006	\$13,195.78	S
23	Paepae Estate Trust Dtd 05/01/00 C/O Kimberly Havins Trustee 3125 Shadowleaf Ct Las Vegas. NV 89117-3256	10725-00563	10/12/2006	\$280,000.00	S
24	Page, Patti 1225 Triumph Ct Las Vegas. Nv 89117	10725-00550	10/11/2006	\$200,000.00	S

25	Panagiotis Dovanidis & Aikaterini Giannopoulous 14 Mikinon St Glyfada Athens Hellas 16674 Greece	10725-01500	11/29/2006	\$50,000.00	S
26	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16674 Greece	10725-01502	11/29/2006	\$50,000.00	S
27	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16674 Greece	10725-01503	11/29/2006	\$50,000.00	S
28	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16674 Greece	10725-01504	11/29/2006	\$50,000.00	S
29	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16674 Greece	10725-01505	11/29/2006	\$50,000.00	S
30	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16674 Greece	10725-01506	11/29/2006	\$50,000.00	S
31	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16675 Greece	10725-01507	11/29/2006	\$30,000.00	S
32	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16675 Greece	10725-01508	11/29/2006	\$30,000.00	S
33	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16675 Greece	10725-01509	11/29/2006	\$50,000.00	S
34	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens 16675 Greece	10725-01510	11/29/2006	\$50,000.00	S

35	Panagiotis Dovanidis & Dimitra Dovanidou Jt Wros 14 Mikinon St Glyfada Athens Hellas 16674 Greece	10725-01501	11/29/2006	\$30,000.00	S
36	Panek, William 106 Mango Ct Henderson, Nv 89015	10725-00368	10/2/2006	\$48,047.32	S
37	Park, Young Jin & Sejin 4417 Los Reyes Ct Las Vegas, NV 89121-5345	10725-01814	12/21/2006	\$15,823.13	S
38	Park, Youngjin & Sejin 4417 Los Reyes Ct Las Vegas, NV 89121-5345	10725-01812	12/21/2006	\$50,000.00	S
39	Park, Youngjin & Sejin 4417 Los Reyes Ct Las Vegas, NV 89121-5345	10725-01813	12/21/2006	\$50,000.00	S
40	Parker, Charles & Mary 14470 Emerald Path Apple Valley, MN 55124	10725-01901	1/9/2007	\$236,840.31	S
41	Parker, Lexey S 4005 Plateau Rd Reno, NV 89509-7957	10725-00279	9/27/2006	\$101,000.00	S
42	Partch, Tim & Kathleen Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Ste 401 Pleasanton, CA 94583	10725-00137	8/15/2006	\$100,000.00	S
43	Pasquale C Mauro Family Trust Dated 4/19/95 C/O Pasquale C Mauro Trustee 7768 Painted Sunset Dr Las Vegas, NV 89149-6453	10725-01467	11/17/2006	\$85,000.00	S
44	Patricia A Herrin & Terry W Royder 9404 Mountainair Ave Las Vegas, NV 89134-6215	10725-00913	11/3/2006	\$150,000.00	S
45	Patricia A Herrin & Terry W Royder 9404 Mountainair Ave Las Vegas, NV 89134-6215	10725-01388	11/3/2006	\$150,000.00	S
46	Patricia Lee Tiede 5225 Pooks Hill Road 1520 North Bethesda, Md 20814	10725-01136	11/9/2006	\$50,000.00	S
47	Patterson-Rogers Family 2001 Trust Robert C & Joyce Patterson-Rogers Trustees Po Box 60175 Las Vegas, NV 89160	10725-00046	5/11/2006	\$50,000.00	S

48	Paul Bloch Living Trust Dated 10/29/02 Trustee Of Paul Bloch Living Trust 2111 Strada Mia Las Vegas. NV 89117-1980	10725-00166	8/28/2006	\$253,732.64	S
49	Paul Bloch Living Trust Dtd 10/29/02 Paul Bloch Ttee 2111 Strada Mia Las Vegas. NV 89117	10725-00181	9/1/2006	\$152,687.50	S
50	Paul Bloch Living Trust Dtd 10/29/02 Trustee 2111 Strada Mia Las Vegas. NV 89117-1980	10725-00197	9/8/2006	\$253,732.64	S